



U.S. DEPARTMENT of STATE

Hungary

International Religious Freedom Report 2005

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The Constitution provides for freedom of religion, and the Government generally respects this right in practice. There is no state religion; however, the four "historic religions" (Catholic, Lutheran, Calvinist, Jewish) and certain other denominations, such as Unitarian and Orthodox Churches, enjoy some privileges not available to other faiths.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion. However, several points of friction between the Government and religious organizations arose during the period covered by this report, relating to the Christian churches' support for the December 2004 dual citizenship referendum, and two recent laws affecting church-run social institutions.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government as part of its overall policy to promote human rights.

Section I. Religious Demography

The country has an area of 35,919 square miles, and its population is an estimated 10 million.

Strict enforcement of data protection regulations impedes the collection of official statistics on popular participation in religious life; however, surveys and other evidence suggests that the country's citizens are less devout than the average European. According to a 2004 survey by the Economic Research Institute of Hungary (GFK), 58 percent of respondents declared themselves to be "believers," and 55 percent responded that they believe in "God or the super-natural." Only 15 percent of those believers declared that they go to church at least once a week and 25 percent stated that they never attend church.

The 2001 national census, the latest data available, contained an optional question on religious affiliation, and 90 percent of the population provided a response. According to the census results, 55 percent of citizens are Roman Catholic, 15 percent are members of the Reformed Church, 3 percent are members of the Lutheran Church, and less than 1 percent are Jewish. These four faiths comprise the country's historic religions. Three percent of respondents identified themselves as Greek Catholics, and 15 percent of respondents declared no religious affiliation. The remaining percentage of the population is divided among a number of other denominations. The largest of these is the Congregation of Faith, a local evangelical Christian movement. Other denominations include a broad range of Christian groups, including five Orthodox denominations. In addition, there are seven Buddhist groups and three Islamic communities.

Hungarian citizens are able to donate 1.0 percent of their income taxes to the religion of their choice and an additional 1.0 percent to the nonprofit agency of their choice. The Government nearly doubles the taxpayers' donation, adding 0.9 percent of the sum given to each group. Statistics from the collection of tax revenue voluntarily directed for use by religious groups confirm the ranking of traditional estimates of religious affiliation. In 2004, 15.6 percent of the taxpayers contributed \$17.5 million to 119 religious groups.

Section II. Status of Religious Freedom

Legal/Policy Framework

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full and does not tolerate its abuse, either by governmental or private actors.

Easter Monday, Whit Monday, All Saints' Day, and Christmas are celebrated as national holidays. These holidays do not

negatively affect any religious groups.

The 1990 Law on the Freedom of Conscience regulates the activities and benefits enjoyed by religious communities and establishes the criteria for legal designation. To register as a religion, religious groups must submit a statement to a county court declaring that they have at least 100 followers. The court questions only whether the registration of the new group is constitutional. While any group is free to practice its faith, formal registration makes available certain protections and privileges and grants access to several forms of state funding. The courts have registered a total of 144 religious groups since 1990.

Religious instruction is not part of the education curricula in public schools; however, the Government permits primary and secondary school students to enroll in extracurricular religious education classes. Optional religious instruction is usually held after the normal school day and is taught by representatives of religious groups in school facilities. While the Government makes provisions for minority religions to engage in religious education in public schools, the four historical religions provide the majority of after-hours religious instruction. During the 2004-05 school year, 45 registered religious groups provided religious instruction to 515,223 out of a total of 1.4 million students in public schools.

The military chaplain's service has permanent pastoral representation by the four historic religions in the defense forces. The Government also requires the military to respect the rights of other religions by providing pastoral care for their members. The Ministry of Defense funds and maintains the chaplain's service. There is no evidence that soldiers receive preferential treatment for either foregoing or using the chaplain's service. The Ministry of Justice regulates a similar system for the provision of religious services to prisoners.

The Government allocates public funds to registered religions. In 2004, the Government allocated approximately \$130.3 million in public funds for various religious activities and related programs. Government expenditures supported religious practice, educational work, and the maintenance of public art collections of cultural value. Compensation for non-restituted religious property, the reconstruction of religious institutions, and the general subsidy for religious activities comprised the largest components of state financial support. The Government provides the same level of financial support for private religious education as for state institutions on a per child basis. Government support decreased in 2005 because of budgetary constraints.

In 2003, the Government allocated \$7.5 million to clergy working in settlements with populations of less than 5,000.

To promote the revitalization of religious institutions and settle property issues, the Government signed separate agreements with the four historic religions and with two smaller churches (Hungarian Baptist and Budai Serb Orthodox) between 1997 and 1999. The religious groups and the Government agreed on a number of properties to be returned and an amount of monetary compensation to be paid for properties that could not be returned. These agreements are subsumed under the 1991 Compensation Law, which requires the Government to compensate religious groups for properties confiscated by the Government after January 1, 1946. In 2004, the Government paid religious groups \$11 million, and was expected to give \$15 million to religious groups in 2005, as compensation for the assets confiscated during the Communist regime. While these agreements primarily address property issues and restitution, they also have provisions requiring the Government to support religious organizations that provide social services as well as support for the preservation of religious monuments.

At the end of 2004, there were 837 pending cases of real property that once belonged to religious groups, which the Government must decide whether or not to return before 2011. At the end of the first quarter of 2005, there remained 801 pending cases. Real estate cases have involved 12 religious groups: Roman Catholic, Calvinist, Lutheran, Unitarian, Baptist, Hungarian Romanian Orthodox, Hungarian Orthodox, Budai Serb Orthodox, Hungarian Methodist, Seventh-day Adventist, the Salvation Army, and the Confederation of Hungarian Jewish Communities (Mazsihisz). In 2004, the Government resolved 131 cases involving 160 properties primarily belonging to the Catholic, Calvinist, and Lutheran churches. There were 56 properties returned to churches, and churches received monetary compensation for 104 properties. Overall 7,572 claims were made by religious groups for property restitution under the 1991 Compensation Law: 2,695 cases were rejected as inapplicable under the law; the Government decided to return property in 1,897 cases and gave cash payments in another 1,953 cases; 1,027 cases were resolved directly between former and present owners without government intervention; and the remainder (801 cases) must be decided by 2011. The properties include general-use property in addition to buildings that had been used for religious services. Members of the Jewish community view the restitution process as generally fair but would like to see compensation paid for the estimated \$2 to \$16 billion worth of heirless Jewish properties specifically excluded from the restitution process.

During the period covered by this report, the Government Office of Historical Archives of the State Security Services signed an agency-to-agency agreement with the U.S. Holocaust Memorial Museum granting access to 365 Holocaust era files.

Restrictions on Religious Freedom

Government policy and practice continued to contribute to the generally free practice of religion; however, several minority religious groups have claimed that the Government provides preferential treatment for the four largest denominations. While there are several laws that grant rights and privileges to the historic religions, such as per capita funding for church-run universities, the Government has shown steady improvement over the last several years in extending all rights and privileges to every religion.

In June 2004, the Constitutional Court reviewed and abolished a 2003 amendment to a law on social care that required religious organizations to prove the necessity of any social institution they wished to set up before they could receive government subsidies. The amendment appears to have been aimed at limiting the Government's financial exposure under the 1997 agreements that compel it to fund churches' social institutions. The court reviewed the amendment at the request of the Catholic Church and ruled that it infringed upon the rights of all religious organizations and conflicts with the relevant 1997 agreements.

In June 2004, the Constitutional Court upheld a 2003 law on equal treatment that prohibits, inter alia, religious organizations from discriminating against non-parishioners in the hiring of non-clergy and in school admissions. The challenge was brought by the Catholic, Calvinist, and Lutheran Churches, as well as the Alliance of Jewish Communities, after the first instance court ordered the reinstatement of a homosexual student expelled from a Calvinist university.

In November 2004, the Christian churches called on their followers to vote "yes" for the December 5 referendum on dual citizenship for ethnic Hungarians living abroad. This prompted government criticism from the highest levels of the churches for "undue involvement in politics." This criticism was repeated by the Prime Minister at a press conference subsequent to his audience with Pope John Paul II in December 2004.

In December 2004, several thousand teachers, parents, and students of church schools peacefully protested the proposed cuts in government funding for parochial schools. Representatives from the Catholic Bishops' Conference and the three other historic churches also attended the protest. The ensuing debate centered around a difference of opinion on how to calculate the per child support provided to state schools. (The Vatican Treaty and several other 1997 agreements obligate the Government to provide the same amount of per child funding to parochial schools as it provides to public schools.) The Government argued that the local governments, through which state support is channeled, often chose not to fund their public schools with the full amount allocated by the national government and therefore claimed that it could commensurately reduce the funding provided to parochial schools and still keep to the 1997 agreements.

Subsequent to the protest and the Prime Minister's audience with the Pope, the Holy See issued public statements in both Vatican City and Budapest defending the country's churches' right to participate in public life and called on the Government to fulfill its commitments under the Vatican Treaty. In January 2005, the Government restored almost all the proposed cuts to parochial school funding.

There were credible reports that the Government delayed subsidy payments to churches for their parochial schools and other social institutions in an effort to control spending. Church officials reported that as of May 2005, no subsidy payments for their social institutions had been received. In May 2005, the Calvinist Church won a court case against the Ministry of Education for non-payment of government subsidies for its educational institutions for the handicapped. The court has ordered the Ministry of Education to pay more than \$250,000 for 2 years' back subsidy.

Several smaller churches requested that the Government provide per student support for their universities, as it does with the four historic churches. The Government recently informed these churches that it does not expect any changes to this policy in the near future. The smaller churches pressed for equal media programming time given to the smaller denominations. There are 11 churches with regular programs on public radio or television.

There were no reports of religious prisoners or detainees.

Forced Religious Conversion

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

Abuses by Terrorist Organizations

There were no reported abuses targeted at specific religions by terrorist organizations during the period covered by this report.

Improvements in Respect for Religious Freedom

The Government has continued its strong efforts to combat anti-Semitism by clearly speaking out against the use of coded speech by right-wing extremists, and the Prime Minister publicly stated that Hungarians were also responsible for the Holocaust. In February 2005, the previous and current Prime Ministers attended the 60th anniversary commemoration of the liberation of the Budapest ghettos. All four parliamentary parties were in attendance at this ceremony and at the March of the Living event in Auschwitz.

The Government donated a building to the Krishna Believer's Church for use in its newly instituted university.

Section III. Societal Attitudes

Relations between religious groups are amicable, and there is little friction between religions. Several Christian churches and the

Jewish community have institutionalized a Christian-Jewish dialogue, bringing together religious academics for regular discussions. Across a wide range of other areas, religions also have shown a great willingness to work together to achieve common social or political goals. During the period covered by this report, the four largest Christian churches agreed to investigate and speak out against anti-Semitic incidents in the country.

The Jewish community stated that there were fewer acts of vandalism in Jewish cemeteries than in previous years. It attributed most of the incidents to youths, and did not consider the incidents anti-Semitic.

In July 2004, a Jewish cemetery in the north was vandalized. More than 90 gravestones were smashed just weeks after the local town council had renovated the cemetery to mark the 60th anniversary of the Holocaust.

In June 2005, during the Shavuot holiday, more than 130 grave sites were vandalized in the largest Jewish cemetery in Budapest. No overtly anti-Semitic manifestations were discovered, such as graffiti or swastikas, but this was the largest desecration of any cemetery since the regime change of 1989. The leaders of all four parliamentary parties strongly condemned the act, and the police began an investigation. No suspects had been identified at the end of the period covered by this report.

Representatives of the Jewish community expressed concern over anti-Semitism in some media outlets, in society, and in coded political speech. For example, certain segments of an ongoing Sunday news magazine, *Vasarnapi Ujsag*, on Hungarian Public Radio were criticized for presenting guests who held anti-Semitic viewpoints. The weekly newspaper *Magyar Demokrata* published anti-Semitic articles and featured articles by authors who have denied the Holocaust.

Jewish Community representatives requested the Ministry of Cultural Heritage to close a county museum exhibition highlighting the pro-fascist Arrow Cross and Hungarian nationalism during World War II. The exhibition was closed, and the materials were returned to their owners. During their visit to the country in April 2005, the Chief Rabbi and the President of Israel spoke positively of the situation of the Jewish community in the country.

Local non-governmental organizations succeeded in getting a court order stripping the neo-Nazi group Blood and Honor of its official registration. A new unregistered neo-Nazi group, Hungarian Future, planned a public demonstration to commemorate the 60th anniversary of the fascist takeover of the country. Several groups have planned anti-fascist counter demonstrations for the same day and locale. The police have found no legal grounds on which to ban the demonstration.

On April 5, 2005, hundreds of persons participated in the unveiling ceremony of a statue of Pal Teleki, the Prime Minister of the country in the 1920s, who was the first in Europe to enact anti-Semitic legislation. The Minister of Culture, Istvan Hiller, cancelled plans for setting up the statue in Budapest after pressure from the Wiesenthal Center. The statue, which was to have been set up opposite the President's official residence in Budapest, was eventually erected in the courtyard opposite the Catholic Church in the town of Balatonbolgar on the shore of Lake Balaton.

Overall, society welcomed the increasing religious activity that followed the transition from communism. However, lingering effects of the Communist Party's suppression of religion remain. Officials from Christian churches believe that it will be another generation at least before the majority of citizens realize that religion has a vital role to play in the nation's public life. Church leaders believe that the divisive political climate in the country affects societal attitudes toward religion, as church statements on important public issues tend to be seen as politically motivated. Politicians on the left have routinely criticized the churches for their perceived political support for the right ever since the regime change of 1989, and an increase in the left's mistrust of church motives during the period covered by this report.

Parliament again during the period covered by this report failed to correct constitutional deficiencies in the 1997 amendment to the hate speech law, which itself was intended to resolve conflicting court decisions and make it easier to enforce and stiffen penalties for crimes related to the victim's ethnicity, race, or nationality. (In May 2004, The Constitutional Court ruled that the law was too vague and returned it to Parliament for refinement.)

Reports of vandalism or destruction of Christian and Jewish property exhibited a downward trend, while burglaries involving places of worship rose. During 2004, the National Police reported 339 cases of vandalism to cemeteries and 1431 burglary cases involving places of worship, compared with 459 cemetery vandalism cases and 108 burglaries at places of worship in 2003. During the first quarter of 2005, the National Police reported 39 cases of vandalism to cemeteries, and 468 cases of burglary involving places of worship. There were no data on which churches owned the cemeteries. Most police and religious authorities considered these incidents as acts of youth vandalism and not indications of religious intolerance.

Section IV. U.S. Government Policy

The U.S. Government discusses religious freedom activities, maintaining regular contact with government officials, Members of Parliament, leaders of large and small religions, and representatives of local and international NGOs that address issues of religious freedom. Through these contacts, embassy officers have tracked closely the dispute over parochial school funding and the possible effect on clergy that the country's proposed lustration legislation may have. Embassy officers have also worked with Mazsihisz to identify Jewish cemeteries for possible restoration by the U.S. Commission to Preserve America's Cultural Heritage Abroad.

During the period covered by this report, the Embassy has facilitated the transfer of Holocaust-era records to the U.S. Holocaust Memorial Museum, and has lobbied the Government at the highest levels for greater archival access for the Museum.

The Embassy also has remained active on issues of compensation and property restitution for Holocaust victims, as well as on the recent United States Government settlement in the so-called Gold Train case. Embassy officers had worked with Mazsihisz, the Hungarian Jewish Public Foundation, other local and international Jewish organizations, Members of Parliament, and the Prime Minister's Office to maintain dialogue on restitution issues, and to promote fair compensation. The Embassy released a statement condemning the June 2005 Kozma Street (Budapest) cemetery desecrations, and calling for respect and tolerance of all religions. Embassy officers had inspected the damages at the cemetery and provided estimates and photos to the U.S. Commission for a possible restoration project.

The Embassy continued to urge the Government to speak out against anti-Semitism and hate speech.

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